THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

WRIT PETITION No. 14549 of 1996

Dated: 25.01.2007

Between:

P. Hanumantha Rao

... Petitioner

AND

Bharath Scouts & Guides, A.P.,
Hyderabad & others.

... Respondents

THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

WRIT PETITION No. 14549 of 1996

ORDER:-

This writ petition is filed questioning the proceedings dated 12.06.1996 of the 1st respondent viz., Bharath Scouts and Guides, Andhra Pradesh, Hyderabad.

At the hearing of the writ petition, Sri V.V.Prabhakar Rao, learned counsel appearing for the 1st respondent placed before me the judgment of a learned Single Judge of this Court in W.P.Nos. 4353 and 4540 of 1986 dated 23.10.1986 wherein it was held that Bharat Scouts and Guides, the 1st respondent herein, is not an organ of the State falling within the definition of Article 12 of the Constitution of India. Sri Prabhakar Rao also submitted that a writ appeal filed against the said judgment was dismissed. This is not disputed by Sri M.V.Durga Prasad, learned counsel appearing for the writ petitioner.

However, the learned counsel for the petitioner seeks leave of this Court to approach civil Court by way of a civil suit to question the proceedings, which are impugned in the present petition.

While dismissing this writ petition on the ground that it is not maintainable against the 1st respondent, liberty is given to the petitioner to approach the civil Court by way of a civil suit claiming the relief, which is sought in this writ petition.

Subject to the above observation, the writ petition is dismissed. No order as to costs.

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C.V. NAGARJUNA REDDY, J

Date: 25.01.2007
ES